

**MINUTES OF THE CITY PLANNING COMMISSION  
J. MARTIN GRIESEL ROOM**

**September 20, 2002  
9:00 AM**

**Present:** Appointed Members: Caleb Faux, Terry Hankner, Jacquelyn McCray, Donald Mooney, Pete Witte; Administration: Water Works Director David Rager; Council Member Jim Tarbell; City Planning Staff: Liz Blume, City Planning Director, and Steven Kurtz, Administrator, Land Use Management

The meeting was called to order by Chairman Don Mooney.

**MINUTES**

The minutes of the September 6, 2002, City Planning Commission (CPC) meeting were presented for consideration.

**Motion:** Ms. Hankner moved approval of the minutes, as presented.  
**Second:** Mr. Rager  
**Vote:** All ayes (5-0).

**CONSENT ITEMS**

Mr. Mooney announced that Item 5 would not be considered today.

**Ordinance Authorizing the Sale of Two 15-Foot Wide Parcels of Elder Street on Either Side of the Findlay Market House Site in Over-the-Rhine**

The design of the renovated Findlay Market calls for the market house to expand fifteen feet north and south into what is now a portion of West Elder Street. This ordinance authorizes the City Manager to abandon a portion of the street as right-of-way and attach it to the Market House parcel by means of a sale of property. On May 7, 1997, the Historic Conservation Board approved the renovation and expansion of the market house, finding that the work complied with the Secretary of the Interior's Standards for Rehabilitation.

**Ordinance Authorizing the Grant of a Permanent Aerial Easement at the Rear of Property Located at 2243 Eastern Avenue in the East End**

The City of Cincinnati's Water Works has a 50-foot wide water main easement traversing the rear of 2243 Eastern Avenue. The owner of 2243 Eastern Avenue (DCI Properties, LLC) has petitioned for a 6-foot wide aerial easement encroaching along the northern edge of the 50-foot wide easement. Porches and decks were approved as part of a Planned Unit Development subject to receiving permission for easement

encroachment. The permanent aerial easement will not interfere with the water easement. The City is granting the aerial easement in exchange for other easements north of Eastern Avenue in favor of the Cincinnati Water Works on property owned by DCI Properties, LLC. The City Solicitor's office has recorded the easement with the Hamilton County Recorder.

**Ordinance to Accept and Confirm the Dedication of Permanent Storm Sewer Easements at 5211 and 5217 Adena Trail in Mount Washington**

The replacement of the 5211 and 5217 Adena Trail storm sewer line is a Stormwater Management Utility project. Water had eroded the hillside and undermined the sewer facility; therefore, it was necessary to extend the sewer to the toe of the slope to prevent continuing erosion of the hillside.

**Ordinance Authorizing the Vacation of City-owned Property Located at Holliday Street near Beekman Street in North Fairmount**

The North Fairmount Community Center has requested vacation of a portion of Holliday Street, near Beekman. The street vacation will join parcels that front on Beekman Street, between Carll and Denham Streets, for future retail development. While the value of the vacation by appraisal was \$2,000.00, a negotiated price of \$1,000 is agreeable to all parties and has been deposited with the City Treasurer.

**Motion:** Ms. Hankner moved approval of the consent items.

**Second:** Mr. Rager

**Vote:** Motion carried; 5-0.

-- Ms. McCray and Mr. Tarbell entered the meeting. --

**ORDINANCE AUTHORIZING THE VACATION AND SALE OF A PORTION OF BROWNING AVENUE, EAST OF MARBURG AVENUE, IN OAKLEY**

Action requested: Approve the vacation and sale of a portion of Browning Avenue in the Oakley North Urban Renewal Plan area, subject to the conditions outlined in the ordinance vacating a portion of Browning Avenue.

Senior City Planner Stephen Briggs presented his staff report, stating the area proposed to be vacated is .5165 acres in size. The developer has submitted documentation indicating ownership of those parcels abutting that portion of the street, which may be vacated. The City will receive \$125,000 as compensation for the transfer of City-owned land. The staff report (on file in the CPD) outlined specific conditions imposed upon this vacation and sale. Staff recommends approval.

**Motion:** Ms. Hankner moved approval of the proposed vacation and sale of a portion of Browning Avenue, east of Marburg Avenue, in Oakley.

**Second:** Ms. McCray

**Vote:** Motion carried; 7-0.

## **VERBAL PRESENTATION REGARDING THE ADAMS LANDING DEVELOPMENT**

Arn Bortz of Towne Properties, Inc. recounted the history of the Adams Landing Development, and reminded the CPC that his predecessor and the City have been involved in a 5-year court battle. He now has a tentative conditional development agreement that would allow his firm to take over the project and bring it to completion, but not in accordance with original plans. Mr. Bortz stated the original plan called for 1200 units of housing on the 28-acre site; the modified master plan will provide no less than 600 units of housing. His plan suggests 5 "villages", each to be developed separately (in order to avoid that 'construction site' feeling for the next 15 years); the proposed plan includes townhouses, mid-rise buildings of 4 to 6 stories, and possibly a high-rise building. The villages will be linked by sidewalks and landscaping to create a unified image.

Mr. Bortz describes his plan as being a 'Cincinnati-scale' plan; that is, he believes it will provide lesser density and, therefore, units that will sell, rather than creating very high density in buildings that will not be marketable in Cincinnati.

## **OPPONENTS**

Peter E. Koenig (105 East Fourth Street, Suite 300, 45202), representing the Sawyer Place Company and George Stewart, informed the Commission that his client, Mr. Stewart, owns the site directly across the street from a portion of the Adams Landing project. Mr. Stewart's property represents 3,000 feet of frontage along Eastern Avenue and includes the only operating barge terminal up-river from Cincinnati and other industrial uses. Mr. Stewart has plans to build a 20- to 30-story high-rise building as well as a hotel on a portion of his property, and he believes Mr. Bortz' proposal to build villages D & E will stymie development of Mr. Stewart's property. Further, Mr. Koenig believes Mr. Bortz is in violation of the East End Community plan and EQ-CR guidelines, which speak to subsequent development being compatible with existing buildings. He specifically mentioned inadequate parking for the existing Adams Landing and the Boathouse, which he believes will be exacerbated by new development. He also stated that pedestrian bridges across Eastern Avenue should be completed.

Robert S. Vogt (900 Adams Crossing, 45202), a resident of Adams Place, stated he helped to put the original design together. He believes some important questions were overlooked in the re-design of the Adams Landing project: the re-routing of Eastern Avenue; the removal of railroad tracks from the site; safeguards to prevent the development of Adams Landing from impacting development of other adjacent and/or nearby properties.

George B. Stewart (3033 Eastern Avenue, 45226) recounted a partial history of the East End community and his real estate holdings, and then spoke of his future development plans in regard to his property located along the south side of Eastern Avenue.

Ms. Blume commented that, from a land use standpoint, if we can reach the numbers Mr. Bortz is proposing, it would be great. Hillsides make development difficult, and in view of that, she believes this plan is what the infrastructure will support.

Mr. Bortz finished his presentation by indicating that he would like to begin construction in the late spring or early summer of 2003, in order to have folks living there by 2004.

The Planning Commission expressed support for Mr. Bortz' plans, and encouraged him to move forward.

**-- Ms. McCray left the meeting. --**

## **COUNTY COMPASS GOALS AND OBJECTIVES**

Pete Witte, the Commission's representative to the Hamilton County Regional Planning Commission's Planning Partnership COMPASS Steering Team, sought direction regarding the goals and objectives that were outlined in the County's summary recommendations.

**Motion:** Mr. Faux moved to support the goals and objectives outlined in the County's Summary of Recommendations in the Report on the Vision for Hamilton County's Future.

**Second:** Mr. Tarbell

**Vote:** Motion was unanimously approved; 6-0.

## **ADJOURNMENT**

With no further business to consider, the meeting was adjourned.

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Elizabeth A. Blume, Director  
City Planning Department

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Donald J. Mooney, Chairman  
City Planning Commission

Date: \_\_\_\_\_

Date: \_\_\_\_\_